CONGRESS ASTOUNDED AT ENGLAND'S APPEAL.

Resolutions To Be Introduced Protesting Against Lord Salisbury's Action in the Behring Sea Case.

BOTH HOUSES INTERESTED.

Mr. Plumb Calls It "Sharp Practice" and Other Legislators Express Surprise at the Occurrence.

STILL OTHERS GLAD OF IT.

Mr. Sidney Webster Thinks the United States Should Not Object to a Supreme Court Reference.

SIR JOHN THOMPSON INTERVIEWED.

[FROM OUR REGULAR CORDESPONDENT.] Herald Bureau,
Commes Firthermin and G Stremm, N. W.,
Washington, Jan. 13, 1891.
Until the Herald's exclusive and full presenta-

tion to-day of the great blunder perpetrated by the British government yesterday in the presence of the United States Supreme Court was received in Washington the public at large did not know the true nature and effect of those proceedings.

I understand that the British Minister to-day cabled Lord Salisbury at considerable length concerning the official and popular ebullition caused by Sir John Thompson's application to the Supreme Court. In legal circles it is said that it would hardly surprise the judges of the Court if before the two weeks' limit expires the counsel for Great Britain should ask leave to dismiss the suggestion of the Canadian Attorney General The disposition of President Harrison and Secretary Blaine is now authoritatively stated to be to permit the sentiment of the people of the United States to find utterance through Congress and the press before any

They do not, in fact, believe that Lord Salisbury meant to be discourteous or in any manuer offensive to this government. They incline rather to the opinion that in the multitude of his official ingagements he has committed an inacvertence which he will be among the first to regret and the ery first to repair when he realizes the true charteter of his inconsiderate action.

WILL LORD SALISBURY BETREAT?

I have the most positive reasons for stating that if Lord Salisbury should promptly show a proper spirit toward the government that he has deeply offended, he will not find a feather's weight added to the burden of his position by anything done or omitted by the President or Secretary of State.

What either House or both houses of Congress may see proper to do is a matter that the President eannot control. The President, it is said, understands that the diplomatic character of Lord Sallsbury will be more seriously affected by the present incident than by the ignoming and confusion with which the Russian diplomatist, General Ignation, covered him at the time he was Foreign Secretary in the government of Lord Beaconsheld.

There is a special reason why Lord Salisbury should not conceal from this government the cirenmetances under which or the view pursuant to which the action of yesterday was taken. It was stated orally to the Supreme Court, and the like statement appears in the name of Sir John Thompson, that the authority was derived from the British Minister for advising the court that the British government knew and approved of the pro-

While this is quite different from saying that the British Minister was a voluntary party to the offensive proceeding it has put Sir Julian Pauncefote in a position of embarrassment and difficulty from which the word of Lord Salisbury alone can re-

PROBABLE ACTION OF THE HOUSE, Already several influential members of Congress, representing both houses, are considering how the matter can be made the subject of Congressional action within the limits of official and international propriety. There is a disposition to let democratic members of the legislative body take the lead in any such action, in order to emphasize the solida rity of the country in the face of the gratuitous affront that Lord Salisbury has permitted the Canadian Cabinet to put upon the government with his consent and participation. The following will probably be offered in the House to-morrow and

his consent and participation. The following will probably be offered in the House to-morrow and referred to the Committee on Foreign Affairs:—

Whereas the President of the United States did, on the 5th day of January, 1891, transmit to the two Houses of Congress copies of a correspondence that recently exchanged between the government of Her Britannic Majesty and that of the United States, and growing out of the capture by the United States of certain British vessels in the Behring Sea; and whereas it appears from such correspondence that the government of Her Britannic Majesty did, on or about the 2d day of August last, offer to refer to impartial arbitration the question of legality of said captures and the issue that depends upon such question; and whereas it further appears from such correspondence that the government of the United States did, on or about the 17th day of December last communicate to the government of Her Britannic Majesty cortain questions proposed for the consideration and determination of such arbitrator as might be mutually chosen by the two governments, pursuant to the hereinbetore mentioned offer of Her Britannic Majesty's government; and whoreas it appears by the public records and proceedings of the Supreme Court of the United States that on or about the 12th day of January, 1891, Her Britannic Majesty's Attorney General of Canada did submit to and file with said court a suggestion for writ of prolibition to annut the judicial proceedings taken and had in one of the inferior courts of the United States that on or about the 12th day of January, 1891, Her Britannic Majesty's Attorney General of Canada did submit to and file with said court a suggestion for writ of prolibition to annut the judicial proceedings taken and had in one of the inferior courts of the United States growing out of one of the captures aforessid, that the said suggestion are identical with the questions or issues proposed by the two governments for examination and determination has not been withdrawn by the gove

and proceedings by and between said governments; therefore
Resolved, by the House of Representatives (the Renate concurring) That the conduct, and action of the Imperial government of Great Britain in authorizing and approving the submission and filing of the aforementioned suggestion to and it, the court aforesaid is without precedent or justification, prejudicial to the comity of nations and to the amicable conduct of international relations and an affront to the dignity of the government and people of the United States.

Resolved, further, That the President be requested to communicate a copy of this resolution to the government of the Britannic Majesty if in his judgment such communication be not inimical to the public interest.

WHAT THE SENATE WILL DO.

WHAT THE SENATE WILL DO In the Senate Committee on Foreign Relations at their regular meeting to-morrow a similar recital and resolution will be considered and a unanimous report made without delay to the Senate substantially embodying the views above expressed. It has also been suggested that a resolution beadopted directed to the President asking if he has

mediate, emphatic protest from Congress. The ground taken by the members of the committee who were in consultation on that point to-day is that the judiciary power under the constitution conferred on the Supreme Court does not extend to a controversy in which the United States and a foreign Fower are the parties. Our constitution has earefully withheid from the federal judiciary the power to decide upon the political relations of the United States and any foreign Fower. It is on this ground that the Supreme Court has always held that Congress can receal or annul a treaty which the constitution declares to be a part of the supreme law. It is a political question, though the repeat may destroy private rights, and the Supreme Court is bound to follow the action of Congress.

which the constitution declares to be a part of the supreme law. It is a political question, though the repeat may destroy private rights, and the Supreme Court is bound to follow the action of Congress.

Great Britain can therefore have no standing in the Supreme Court. Any auttor in any court must come in by petition, not by "suggestion." If the cannot sue how can she get a judgment against the President as our diplomatic chief on a motion or "suggestion" for a writ of prohibition to an inferior court?

As an individual sultor Mr. Cooper, who was the original appeilant, had an appeal from the decree of a court of admirably and asked that it be dismissed. That ended and concluded his right. If any question remains it is a political question, and the government of Great Britain must present that to the Department of State, and not to the Supreme Court.

That government by making this appeal seems to abandon its aileged political rights and becomes a suitor in a court. If Great Britain is not, in its motion for a prohibition, a suitor, but a "suggestor," the Inquiry arises in a very unpleasant way why it is approaching our government through a channel that is not open to that government either as a suitor or as a "suggestor." Why does not Great Britain comes to Congress and ask relief as well as to the Supreme Court? Why not apply to the President through the Navy Department to repress the Sitka court?

The Foreign Relations Committee will also probably say in the report to accompany the concurrent resolution that the surprising and indefensible conduct of Great Britain is the more apparent when it is known that the Canada Attorney General has attempted to do something through the highest judicial tribunal of the land that he could not do in the way of ordinary petition to the United States Senate. The latter part of clause 4 of rule 7 of this body says:—"But no petition or memorial or other paper signed by citizens or subjects of a foreign Power shall be received unless the same be transmitted to the Senate by

Court a question in which they are so much interested."

Mr. Adams, of Illinois, a republican, is a member of the House Judiciary Committee. He said that he was very giad that the matter was likely to get before the supreme Court. He had not looked carefully into this particular case, but he had no doubt of the jurisdiction of the Supreme Court. "It is desirable, I think," he said, "that the legal question should be settled by that high tribunal. Negotiations can then proceed upon the other questions, not questions of law, upon which the United States bases its claim. Of course, Mr. Blaine could not ask Great Britain to submit the question of law to our Court, but he will probably not be at all displeased if it can properly go there upon Great Britain's own motion. Of course, it is a compliment to our Supreme Court, and one which it deserves, that Great Britain should appeal to it. There is not another such tribunal in the world.

"The questions upon which Mr. Blaine lays stress in his contention in behalf of the United States—namely, that for the general public good Great Britain ought to recognize the right of the United States—namely, that for the general public good Great Britain unght to recognize the right of the United States to protect the scale, and further, that Great Britain had acknowledged, by acquivescene the right of Russia over the sea—cannot get before the Court. Therefore, if the Court should decide the question of hu against the United States, these questions would still remain for negotivition. A calisfactory settlement on these points nught be reached, with the technical law question used disposed of."

Mr. Adams said he thought it would be unfortunate if the Supreme Court should find it had no jurisdiction.

nate it the supreme court should had it had no jurisdiction.

Representative Crisp, of Georgia, said:—"I regard Engiand's action as certainly very unusual. I hardly know what deduction to make form it, but England evidently thinks she has a strong case, and is willing to test it in our Supreme Court."

Representative Simonds, of Connecticut, said:—"Lord Salisbury is evidently doubtful of a sottlement of these questions through diplomatic channels, and he is trying what he regards as a specific solution of the matter. The action of the Court will, he believes, bind our government. If the Court denies the application for a writ of prohibition, the mother country may say to Canada that this represents

ernment. If the Court denies the application for a writ of prohibition, the mother country may say to Canada that this represents our position in the matter, and that as it is useless to go to war about the seals they had better let the contention drop. On the other hand, should the Court decide in their tavor, they will press their advantage all the more vigorously. This, at least, is the way it looks to me."

LEGAL FOINTS.

Many Supreme Court lawyers doubt whether the American counsel of the Canadian Attorney General really expect to obtain the writ of prohibition for which Sir John Thompson has applied. It is suspected that a purely political motive lies behind the ostensibly judicial proceedings instituted yesterday. In the case of Graham and Lay, petitioners for a writ of prohibition, decided by the Supreme Court in 1871, Mr. Justice Swayne, delivering the opinion of the Court, held that the Court was authorized to issue writs of prohibition to the District Courts of the United States only when such courts were proceeding as Courts of Admiralty, and that it made no difference that the law required the proceedings in admiralty cases if the case was not really an admiralty case.

As I am advised, the case of the W. P. Sayward, upon which the Canadian Attorney General founds his application for a prohibition is not an admiralty case.

As I am advised, the case of the W. P. Sayward, upon which the Canadian Attorney General founds his application for a prohibition, is not an admiralty case. On the contrary, it is a case coming under the provisions of section 563 of the Revised Statues of the United States, the third clause of which confers jurisdiction upon the District Courts is conferred by the eighth clause of section 563, which is enifely separate and distinct from the penalty and forfeiture clause.

The Sayward was libelled under section 1,950 of the Bevised Statues, which, as subsequently amended forbids the killing of fur bearing animal viving the limits of the Territory of alsaka

entirely separate and distinct from the penalty and forfeiture clause.

The Sayward was libelled under section 1,950 of the Revised Statutes, which, as subsequently amended, forbids the killing of fur bearing animals within the limits of the Territory of alaska or the waters thereof, or of the dominion of the United States in Behring Sea. The same section subjects offending vessois and their cassos to forfeiture, and the next succeeding section, as modified by subsequent legislation, vests in the District Court of Alaska, as a District Court of the United States and not as a Court of Admiralty, the jurisdiction of such cases of forfeiture as that of the Sayward, My legal informants tell me that the Sayward case is what is generically known in federal practice as a revenue case, and that in view of the decision in the forfeiture case of trainam and Day in 1871 there is not the slightest probability that the Supreme Court will interfere, as the Erritish government professes to hope and expect.

The writ of prohibition being confessedly an extraordinary and emergent remedy, the Supreme Court has naturally granted the writ with extreme Court will interfere, as the Erritish government professes to hope and expect.

The writ of prohibition being confessedly an extraordinary and emergent remedy, the Supreme Court has naturally granted the writ with extreme Court has naturally granted the british court for bidden by the law of nations. The other case, decided in 1886, was also an admiralty case, in which the District Court had attempted to carry the admiralty jurisdiction to matters occurring on land It is observed by lawyers here that Sir John Thompson and his American counsel have framed their pleadings and arguments so as to present an alloyed exercise of jurisdiction contrary to international law, but it is also observed that the District Court of Alaska was not stiting as a Court of Admiralty when it decreed the Sayward and her belongings to forfeiture. The case not being one of admiralty, the Supreme Court from t

riew the decisions of the District Court of that Territory in the searing cases. Mr. Bayard's acceptable proposal to settle the question by an international regulation of soal catching in Rehring Sea removed for the time being all public grounds for americaling the statute of appeals by vesting jurisdiction in the Supreme Court, and that project remained in abeyance till the virtual runture of negotiations produced by Secretary Windom's dismantling order of ast summer.

After that rupture Mr. Sidney Webster, formerly special counsel to the State Department, through his notable Paris interview in the Heband called public attention on both sides of the ocean to the advisability of removing an irritating and dangerous international controversy by such action as would transfer its settlement to the Supreme Court. Consequent upon that suggestion and the editorial support given to it by the Herald and other leading journals of the United States Senator Ingalls introduced a bill to amend the judiciary clauses of the organic act for Alsaka by providing for appeals from the District Court to the Supreme Court. That bill her slumbered in the Senate Judiciary Committee ever since its introduction, because neither Mr. Blaine nor Lord Salisbury nor any other representative of the British or American government has supported the well meant act of Mr. Insalis by intimating to the committee, directly or indirectly, that the passage of the so-called Ingalls bill was desired.

Senator Edmunds, the chairman of the committee, as I am credibly informed, has always been willing to give the bill opportunity of full hearing and consideration, but has not cared to make himself responsible for a possible disturbance of the diplomatic views or intentions of the administration by spontaneous committee action upon the bill. I learn that Senator Ingalls refrained from pressing the bill, after introducing it, from precisely the same reason.

FEARS OF TROUBLE.

From remarks made by Secretary Blaine to Sir Julian Paunceforio last summer, and f

From remarks made by Secretary Biaine to Sir Julian Paunceforte last summer, and from the significant paragraph in the President's message last month, Lord Salisbury became apprehensive that a diplomatic settlement of the long pending controversy was out of the question, and that either intentionally or ignorantly the seeds were being sown by Mr. Biaine for a serious minunderstanding in the near future. The incident of the ingalis bill sgain lixed British official attention upon the supreme Court as the instrumentality of a peaceful end to the controversy, if the case could only be brought within the cognizance of the Court.

Neither Lord Salisbury nor Sir John Thompson deemed it avisable that either the imperial or the Dominion government should appear as a promoter of the Ingalis bill in the absence of any show of American official interest in that bill, and eventually the scheme propounded in the Supreme Court yesterday was developed by Sir John Thompson, aided by the counsel and participation of American lawyers. This was all settled upon before Mr. Blaine, under the pressure of public opinion in this country, addressed his recent conciliatory note to the British Minister, and although that note and, the circumstances that produced it radically changed the diplomatic situation in favor of the British contentions, the lawyers were permitted by Lord Salisbury to proceed according to the original intention.

mitted by Lord Salisbury to proceed according to the original intention.

Either Lord Salisbury did not foresee or he did not care to regard the popular resentment in this country at the slight put by him upon the President of the United States in virtually rupturing diplomatic negotiations by a sudden ostentatious and nunccossay resort to another forum. If his object was to retaliate for the discourtesy of the dismantling orders of our government last summor, he has accomplished his purpose, according to the view taken of yesterday's proceedings by public men of every class and party at Washington, but he is thought by them to be paying a high price for the privilege of insulting the government of the United States as well as the American people, who have but recently suppressed an incipient tendency of that government to the adoption of a buccaneering policy toward Great Britain.

SIDNEY WEBSTER'S VIEWS.

HE THINKS WE COULD ASK FOR NOTHING BET-TER THAN A DECISION BY OUR OWN COURTS. I visited Mr. Sidney Webster at his home, No. 245 East Seventeenth street, last night to ascertain his views upon this latest phase of the Behring Sea controversy. Mr. Webster was not inclined to join in the discussion.

"The whole question," he said, "is under consideration by the authorities at Washington, and my views would simply be those of a person who is in no sense officially or professionally interested in

After considerable urging, however, Mr. Webster, in reply to my questions, said:-

"If the record sent up to the Federal Supreme Court at Washington from the Federal District Court sitting in Alaska in the case of the Sayward sets forth all the relevant facts and all the points of law, on which each party in the suit reies, and if the writ of prohibition prayed for by the owner of the seized vessel is within the jurisdiction of the Supreme Court, why should the owner, or the government at Ottawa, or Lovelace. representing the owner, be criticised for thus filing his petition in our court? I am at a loss to see.

"The case of the Sayward, now pending in the Supreme Court, is not a suit for damages for the seizure. It is the original suit begun in Alaska by the government of the United States to forfeit the vessel and her cargo, in which that court decreed condemnation, and from which decree the owner and claimant appealed to the Supreme Court.

"The whole case as presented on the record is now there for final judgment. There is a doubt

now there for final judgment. There is a doubt whether, by reason of confusion in our statutes, there is an appeal to Washington from Alaska, but if that be so our government is at fault.

"It is as if an American vessel were seized by a British cruiser, carried into Liverpool, condemned there by a local court and no appeal possible to the highest court of the realm. Of that our government could well enough complain if Great Britain stood on the decree of the local court.

THE OWNER MEMBELY DEFENDING HIS FROPENTY.

"Shall not a ship owner whom the United States endeavors to deprive of property in his vessel be permitted to defend in one of the government's own couris? Even Congress can't take away his property excepting by "due process of law," which means an open, public and fair trial by a judicial tribunal competent by statute to try the case.

"No exceptive officer can make an order violating that Magna Charta of our liberties. Nothing in our law prevents the aggieved owner from being represented by a petition signed by the Attorney General or the Governor General of Canada, or the England.

"If the government at Ottawa or at London

British Minister of Foreign Affairs, or the Queen of England.

"If the government at Ottawa or at London espouses the case of the owner and comes into the seizing government's own court, that manifests a confidence in the court, of which confidence the United States should not complain. Cannot President Harrison and Secretary Blaine repose a similar confidence in our Suprems Court?

"The question is whether or not the original seizure was lawful, and England asks our Suprems Court to decide it. Is that an unfriendly or immoral act done by England? What better arbitration can President Harrison have if England saks it, always assuming it to be true that the record presents all the facts on which the United States rely?"

presents all the facts on which the United States propersents all the facts on which the United States rely?"

The owner of the vessel was carried by the United States into their courts and he should be permitted to fight out the issue there.

DIPLOMACY SUCCEEDS JUDICIAL DECISIONS.

"Indeed, he has no right to appeal to diplomacy till he has exhausted all his judicial remedies. That is my view and I cannot well take new any other since my conversation last summer at Pontresius, in Switzerland, which was reported in the Paris HERALD and tue next day cabled to the HERALD in New York, in which I suggested using the Supreme Court by some proper proceeding in law as a final arbitrator of the rightfulness in international law of the Behring Sea preserves.

"I quite agree that the Court should not, and cannot, as a court, be made an arbitrator to say what treaty should hereafter be made for the future or what rights the law of nations ought to give to the United States in Behring Sea which that law does not now give. But the Court was established to finally decide, in a proper suit, precisely the questions presented by the seizure of the Sayward.

"If that Court shall say that the federal constitution, which makes the law of nations a part of itself, forbade the seizure, the federal Executive and Congress must obey and submit.

"There seems to be a fear at Washington lest our

itself, forbade the seizure, the federal Executive and Congress must obey and submit.

AS TO OUR PAST ACTS.

"There seems to be a fear at Washington lest our Supreme Court will, as to past acts, confine the Executive and Congress to the three mile zone around our Prebyloff rookeries in the Behring Sea, and say that within its line its alone lawful seizures can be made, but it is to be considered that the Court will declare the law of nations applicable to the facts concerning fur seal life disclosed in the record. The United States should obey the law, whatever it is.

"The general rule was declared by Vattel 150 years ago, when he said, speaking generally of the gifts of nature bestowed on all in common, 'A nation may appropriate to herself those things of which the free and common use would be prejudicial or dangerous to her,' subject, however, to the limitation that 'the dominion of the State over the neighboring sea extends as far as her safety renders it necessary and her power is able to assert it, since, on the one hand, she cannot appropriate to herself a thing that is common to all mankind, such as the sea, except so far as she has need of it for some lawful end, and, on the other, it would be a void and ridiculous pretension to claim a right which she were wholly unable to vindicate."

"And, in addition, the Court can consider the whole problem as presented by Russia's cession to us in 1807, aided by the arguments of learned and adequate lawyers on each side."

HOW CANADA JOINED ISSUE.

BY TELEGRAPH TO THE HEBALD. any information to impart that will throw any light on the action of the British government.

I understand that the opinion held by members

Their chagrin was correspondingly great when they ascortained that, owing to a flaw in the statut of 1884 regulating judicial appeals from Alaska, the Suprame Court was without authority to re
Canadian government are taking in the prominutes.

of the committee, regardless of political views, is | view the decisions of the District Court of that | ceedings taken by the owners of the schooner Say-that the action taken yesterday demands an imward before the United States Supreme Court. He said the owners of the Sayward foresaw that years said the owners of the Sayward fores aw that years might elapse before their appeal from the decision of the Alaska Court would be heard. They determined, therefore, to take out a writ of prohibition, which would oring the matter up forthwith.

They asked the Canadian government to join them in it, and after consulting with the imperial authorities and getting their approval the Cauadian government became parties to the application; if a decision is obtained favorable to the Canadian view of the question the Secretary of State will not have a foot to stand on, while an adverse decision would leave the Canadian and imperial authorities in quite as good a position as they are now.

ANYTHING TO AVOID WAR.

IBY TELEGRAPH TO THE HERALD. CHICASO, III., Jan. 13, 1891.-The application of Her Majesty's government in the Supreme Court of the United States for a writ of prohibition in the case of the sealing vessel Sayward is the talk of all the leading lawyers in Chicago to-day. The evening papers contain numerous interviews with leaders of the Bar.

Ex-Senator Doolittle said:-"I am rather glad that the Attorney General of Canada has made application to our Supreme Court, for it may bring up a discussion and an opinion of the Court obtained upon the question whether, beyond the three marins leagues, the catching of seals is arainst the law of nations, and it is a sort of pledge on the part of the British authorities to settle the question amicably and without involving the governments in war.

"All the fur seals of all the oceans are not worth enough to compensate for a bloody war between the two most powerful nations of the world, and the two which have been the most forward in establishing the rights and liberties of mankind. Either by the decision of our own Supreme Court or by some arbitration of friendly Powers such a war should be avoided." plication to our Supreme Court, for it may bring

BIG BRAINED AND ORIGINAL.

Never print a paid advertisement as news matter. Let every advertisement appear as an advertisement—no salling under false colors—Churles A. Dann's Address the Wiscomin Editorial Association, Mileculice, July 24, 1883. "I believe that Charles A. Dana would make an excellent Senator," said Coroner Hanley, when asked for his judgment on the HEHALD's nominee. "There is nothing small about him. Whatever he does he does well, and does it with all his might. When he gets into a controversy he goes in to win. He is always interesting, because besides being a big brained man and a man of ripe culture he is a man in the Senate would be positively refreshing."

NEBRASKA'S SQUABBLE,

EX-GOVERNOR THAYER AL! OW! D TO PROCEED WITH HIS QUO WARRANTO.

LINCOLN, Jan. 13, 1891 .- The State Supreme Court this morning allowed quo warranto preceedings begun by ex-Governor Thayer against Governor Boyd to go on file and summons to issue. Ruling was oral and by Chief Justice Cobb. The Court announced that in case the Lieutenant Governor should desire to intervene in proceedings, it would

should desire to intervene in preceedings, it would allow such jurisdiction, and it also ruled that exGovernor Thayer would lose nothing by vacating the apartments held by him.

The hearing may be postponed five weeks. The summous is returnable on the second Monday after the issue, and defendant has until the third Monday thereafter to answer. Notwithstanding the decision of the Supreme Court independents in the House stubbornly refuse to recognize Boyd as Governor, and declare they will never do so until the question of citizenship is determined. It looks as if all legislation will be blocked until the contest is decided.

FARMER HUNTER DROPPED.

THE POSSIBLE SENATOR FROM ILLINOIS MADE A FATAL ERROR,

[BY TELEGRAPH TO THE HEBALD.] SPRINGFIELD, Jan. 18, 1891.-Last night it coked as though Representative David Hunter, the republican farmer representative from Winnebago county, had a clear field for the United States Senatorship, but his hopes have the United States Senatorship, but his hopes have gone glimmering and he cannot longer see the national Capitol from his seat in the House. A resolution was introduced in the House to-day favoring free coinage of silver, but for some unexplained reason Hunter refrained from voting. As these farmers are in favor or free coinage they looked with smazement upon Hunter's action, and in fact Hunter himself seemed dazed and could offer no explanation.

It is said the resolution was sprung through the influence of Senator Farwell, now in Springfield, for the purpose of putting Hunter on record. It is thought hunter did not really understand the resolution. At any rate the farmers are through with him.

WHITEWASH FOR M'GRATH.

THE PRESIDENT OF THE KANSAS ALLIANCE CLEARED OF THE TURNER SCANDAL. [BY TELEGRAPH TO THE HERALD.]

Topeka, Jan. 13, 1891 .- President Frank McGrath, of the Farmers' Alliance, was called before the Ex-ecutive Council of that body to-day to answer to

ecutive Council of that body to-day to answer to charges preferred against him in connection with the alleged letter of Congressman F. J. Turner. The result of the deliberation is a virtual whitewash for McGrath. The proceedings were not given to the public, but McGrath has been raceiving the congratulations of his alliance friends, which is a sufficient evidence of his vindication. McGrath succeeded in defeating S. W. Chase, the chairman of the People's Central Committee, for Chief Clerk of the House to-day. Thase was responsible for the publication of the Turner letter. No opposition to him for Clerk had been developed until the Alliance caucus last night, when McGrath sprung his own candidate, Benjamin Pick, who was elected The Alliance leaders have attempted in every way to conceal the fact that the letter has divided their party in two factions.

FARMERS IN CONTROL

THE HANSAS HOUSE ORGANIZED BY THE ALLI-

ANCE MEMBERS.

[BY TELEGRAPH TO THE HERALD,] TOPERA, Jan. 13, 1891 .- The Kansas Legislature organized at noon to-day. The ninety-two Alliance members in the lower house had everything their own way and their caucus nominees were elected own way and their caucus nominees were elected without opposition. The House stands—Alliance 92, republicans 25, democrats 8. While the Alliance men have shown that caucus rule will govern them the republican Senate refused to accept the officers nominated at the caucus and went into executive seasion to discuss the matter. Five republican Senators have refused to be guided by caucus rules until Senator Ingalls has been shelved.

SETTLING DOWN IN MONTANA.

THE BEPUBLICAN HOUSE ADOPTS A PLAN OF COMPROMISE,

BY TELEGRAPH TO THE HERALD. HELENA, Jan. 13, 1891 .- The Committee of the republican House appointed to prepare a plan of compromise reported this afternoon and their report was adopted, the Silver Bow claimants not objecting and being excused from voting. By the objecting and being excused from voting. By the report the republican House, without abating a jot of its claim to being a regularly elected body, proposes, in view of the necessity for immediate legislation, that twenty-five republicans and twenty-five democrais whose election is undisjuted meet as a house of representatives, that a company representing both parties equally arrange the organization, such arrangement to be approved and signed by all the Silver Bow claimants and that the offices be equally divided. This proposition will be presented to the democratic House by a committee of the republicans to-morrow.

RIOT IN A FARMERS' MEETING.

[BY TELEGRAPH TO THE HERALD.] LOUISVILLE, Ky., Jan. 13, 1891,-The Simpson cunty Farmers' Alliance recently tried Thomas Quisenberry and Enoch Rowland for violating rules. They were expelled, but appealed to the county Grand Lodge and were ruled off the floor. They resisted and a big row followed. Pistols were drawn and Shoriff Hunt had to interfere to prevent bloodshed.

SENATOR STANFORD RE-ELECTED.

SACRAMENTO, Cal., Jan. 13, 1891 .- The Senate and Assembly balloted to-day for United States Senator to succeed Leland Stanford. The vote in the Assembly resulted:—Stanford (republican), 59; Stephen White, of Los Angeles (democrat), 18. In the Senate the vote was:—Stanford, 27; White, 12. The Legislature will declare the election of Stanford in joint session to-morrow.

TEAMSTER'S HORRIBLE DEATH.

[BY TELEGRAPH TO THE HERALD.] GOSHEN, Ind., Jan. 13, 1891 .- Scott Loop, while walking backward in front of his logging team, ran into a load of logs ahead of him and by the tongue OTTAWA, Ont., Jan. 13, 1891.—Sir John Thompson of his own wagon was held in the air and pluned to them. The tongue crushed into him, breaking his ribs and injuring him so that he died in a few minutes.

PEACE WITH REDSKINS NOW FULLY ASSURED.

All Indications Point to an Early and Peaceful Solution of the Indian Difficulty.

ONLY ONE CHANCE FOR TROUBLE.

This May Come When the Savages Are Asked to Surrender Their Guns to the Soldiers.

A LITTLE SCARE IN MONTANA

[BY TELEGRAPH TO THE HERALD.] PINE RIDGE AGENCY, S. D., Jan. 13, 1891 .- "Peace" is the word that more accurately than any other now describes the situation. Assistant Adjutant General Corbin said to-day it was his opinion that the Indian difficulty was virtually settled, and that no fight could possibly occur. He said that if the Indians intended to fight they would never have selected their present camping ground, hemmed in

as they are on all sides by troops.

The only possibility of a fight lies in the fact that a few of the young warriors, who have taken a conspicuous part in every hostile demonstration since the beginning of the trouble, may become excited again at some trivial act on the part of the troops and fire a shot or two, which would probably bring on a general conflict. The military authorities, however, are taking precautions to prevent anything of the kind occurring, and are giving the Indians an opportunity to become calm and sensible before taking the extreme measures which the occasion would seem to demand. The only chance for trouble, if any occurs, is when the authorities begin disarming the Indians.

YOUNG MEN READY TO FIGHT. A son of American Horse, who talked with a num, ber of the turbulent element in the hostile camp this forenoon, says the older men are willing to lay down their arms, but that many of the younger ones are protesting against it, saying the guns belong to them and that the government has no right to take them. Older men realize the foolishness of longer resisting the government and will submit peacefully. The younger ones are not yet wise enough to fully realize their present hazardous condition, and are apparently rips for any daredevil deed. No plan has yet been decided upon for disarming the Indians, but an officer high in authority told me that a plan something like the following would be adopted :- Each Indian will be asked and required to turn in his firearms, receiv.

following would be adopted:—Each Indian will be asked and required to turn in his firearms, receiv, ing therefor a check or receipt from the government. All the arms will be placed in a building here for safe keeping. Should an Indian desire to go hunting all he will have to do will be to explain his intention to the authorities and the gun will be turned over to him. He will leave his check for the gun until its return, when he will again receive the check or receipt.

This plan was proposed soveral weeks ago, and has been much discussed since that time. It is now believed to be the best plan that could be adopted for disarming the Sioux. Should the suthorities fully decide upon the plan its explanation to the hostiles will probably result in a peaceful solution of the problem, as even the younger warriors could not object to such a plan. No action has been taken by the military in regard to adopting plans with regard to what shall be done with the hostiles, the delay being, as detailed in to-day's Himan, for the purpose of having a better understanding between the military and the Indians comprising the hostile camp.

Henry 18, Stone, of Troop B, Seventh cavalry, wounded in the Wounded Kince battle, died yesterday in the hospital here.

Three troops of the Seventh cavalry, under command of Major Egbert, arrived from General Brooke's command this morning in charge of a wagon train, which will be leaded with supplies and returned to the command, five miles north of here; this afternoon.

MILES GIVES CODY A "TIP."

General Miles issued the tollowing circular to Mr. W. F. Cody yesterday:—

To Brigadier General W. F. Cony, Nebraska National Guard, Present.

To Brigadier General W. F. Cont, Nebrasks National Guard, Present.— Sun.—I am glad to inform you that the entire body of indians are now camped near here—within a mile and a half. They show every disposition to comply with the half. They show every disposition to comply with the thanks for the confidence they have given your people in these isolated lands. Like information has this day been given General Codby. Very respectfully yours. NELSON A. MILES, Major General Commanding.

NELSON A. MILES, Major General Commanding.
General Miles has also constituted Young-ManAfraid-of-His-Horse chief of all the Indians now
here. Their management, so far as their own
afairs are concerned, is left entirely to him.

Yankton Charley stayed with the newly arrived
Indians at one of their camps last night. He reports them becoming peacefully resigned as a whole,
but says that many of them continue to pilfer the
vacant buildings. A party who arrived here late
yesterday evening from the north describes the
scene along the White Clay Greek, where these indians have been during the past two weeks, as
desclate in the extreme. No less than twenty
houses have been burned and many more badly
damaged. The carcasses of cattle and horses mark
the way.

damaged. The carcasses of cattle and horses mark the way.

It is the first instance on record where a rebellious people moved defiantly toward the point fixed for their surrender committing depredations until the last moment. This action in particular accords perfectly with the rumor now passing quietly about here, among the parties who claim to know, to the effect that four hundred of the hostiles escaped last night and that Colonels Carr and Wheston are pursuing them with the intention of quietly getting in front of them and pushing them back without a conflict.

But the action does not accord with the following bulletin issued from headquarters this morning:—

All the Indians that have been out and in hostility are

ing:—
All the Indians that have been out and in hestility are now here. They came under our guns and have made their catter at directed without other conditions than that they were to resure and submit to law and order. It was this of take the publishment that refusal would bring upon them and which the troops were fully prepared

to administer.

General Brooke has managed the advance of his line with commendable skill and excellent judgment, and contributed much to the success in hand. The questions of adjustment and internal government and policies have been submitted to Colonel Pierce, the newly appointed agent. The situation will perhaps be more fully described in the one word, "Peace,"

GHOST DANCERS IN WASHINGTON. THE TARIMA INDIANS GROWING TROUBLESOME AND SETTLERS ARE ALARMED.

NORTH YAKIMA, Wash., Jan. 13, 1891 .- The Yakima Indians have been indulging in ghost dances for several days, and fears are now expressed that ome of the blanket Indians may join the hostiles. The Yakimas number about thirty-eight hundred, divided into the civilized and renegades. The

divided into the civilized and renegades. The former are greatly in the majority and are mostly well-to-do farmers, some of them being quite wealthy. These live near the agency headquarters at Fort Simcoe.

The renegades are blanket Indians who live along the line of the railroad, and who are well armed and under the centrol of the medicine men. They have been obtaining much whiskey of late and are becoming quarrelsome.

Finter runners have been among them, and it is said they are combining with Chief Moses' Indians from the North.

SIOUX RAMPANT IN MONTANA. THEY ARE KILLING CATTLE AND STELLING HORSES AND THE PEOPLE HAVE NO GUNS.

Indian police taking part in the capture of Sitting Bull, with a view to rewarding them for their services and also providing for the families of the policemen who were killed in that engagement. He

policemen who were killed in that engagement. He says:

"The conduct of these men is remarkable for fidelity as well as courage, and some act of the government in recognition thereof would seem fit as to those directly concerned and expedient for the encouraging effect it would have upon all the Indians of the reservation who desire to conform to the new conditions of their lives."

General Ruger enclosed a letter received by him from Indian Agent McLaughlin, of the Standing Rock Agency, saying that he had already submitted the atter to the Indian Office and that he would be glad to ex-operate with the officers of the War Department in promoting the object in question.

LEGISLATION FOR THE ARMY.

THE HOUSE FAVORS ARMY OFFICERS AS PHO-FESSORS AT CIVILIAN C LLEGES

WASHINGTON, Jan. 13, 1891 .- In the House in Committee of the Whole on the Army Appropriation bill, Mr. Cutcheon withdrew his point of order against Mr. Bland's amendment providing that no salary shall be paid by the United States to mil itary officers detailed to military colleges or State

Mr. Breckinridge, of Kentucky, opposed the adoption of the amendment, taking the ground that the army was too small and that training young men in colleges tended to popularize the

young men in colleges tended to popularize the army.

Mr. Bland said popularization of the army was all right in a monarchy, but that the opposite idea should prevail in a republican government.

Mr. Cutcheon, of Michigan, opposed the amendment as practically a repeal of the existing law, which was serving an excellent purpose and acting as an inspiration both to army officers and to our educated young men.

Mr. Flower, of New York, said he believed the army was necessary for the preservation of the Republic and that it was proper and right to use the army as a school to educate young men in the art of war.

Mr. Yaux, of Pennsylvania, spoke in favor of the

art of war.

Mr. Vaux, of Pennsylvania, spoke in favor of the amendment as in the direction of diminishing the influence of the army, which history showed had always been used to throttle republics.

The amendment was lost—35 to 12.

The Senate to-day passed a bill providing that army officers on the limited retired list who shall have attained the age of sixty-four shall be transferred to the unlimited list, and that the number of officers on the limited list shall be 350. This bill will result in the immediate transfer of ninety officers and in placing fifty of the sixty officers now eligible for retirement on the limited list.

EDDYVILLE FLOOD SWEPT.

ICE AND HIGH WATER DO HEAVY DAMAGE TO A HUDSON RIVER VILLAGE,

[BY TELEGRAPH TO THE HERALD.] RONDOUT, N. Y., Jan. 13, 1891.-The little village of Eddyville, the tidewater terminus of the Delaware and Hudson Canal, just outside the limits of this place, has again been swept by a flood, causing the loss of many thousands of dollars' worth of property and forcing the inhabitants to fiee for their lives from their houses.

It was in many respects similar to the flood of ice and water which deluged that place in December,

When the rain was falling in torrents on Sunday. t was feared that the village would be swept away by the great rush of water that would necessarily follow the storm. Yesterday morning as the water began running down the mountain streams and emptied into the Rondout Creek it rose to an alarming extent and caused the greatest havee.

volume of water that poured into the upper por tion of the creek for nearly twenty hours could not be stayed, and about seven o'clock last evening the ice at Creek Locks gave way, and soon the creek below was overflowing its banks and huge masses of ice were being carried down with the surging waters.

The flood dashed over the Eddyville falls into the lower creek which makes its way toward the

As the temperature began to fall it was hoped

that the danger would pass over, but the immense

the lower creek, which makes its way toward the Hudson River. The roar was heard all over the village.

The ice struck the abutments of the iron bridge

Hindson River. The roar was heard all over the village.

The ice struck the abutments of the iron bridge which crosses the creek at Eddyville with such force as to move the bridge several inches out of place. Onward the water flowed, carrying away outbuildings, drowning fowls and small animals in its path and demolishing a number of small boats. When the flood of ice and water reached the belaware and Hudson Canal lock it rushed over the docks, fooding the cellars and storas of Conneily & Shaffer, B. Turner & Son, Henry McNames, T. Solon and Black Brothers to a depth of over three feet.

About thirty cement boats that were moored near the lock were carried away several hundred feet from the stream. Many of them are now lying in the village roads badly damaged.

The steam yachts Charles T. Contant and Lewis D. Black, of the Rondout and Pouchkeepsie route, which were in their winter quarters, were torn from their moorings, swept down the creek and hurled with terrific force against the Lawrence Cement Company's dock. They were badly damaged and much of the joiner work torn away.

The cement boats Bella was thrown on top of one of the yachts.

The carpenter shop, blacksmith shop and other small buildings of the Lawrence Cement Co., were lifted bodily from their foundations and carried over three hundred feet. At Baisden's shipyard the steam yachts Ettle Wright and Minnie were swept from their quarters and piled in a promiscuous heap with other boats. One boat was whirled by the ice and water a distance of five hundred feet and crushed into splinters.

At the Hudson River Cement Company's works the 1:2 jammed, backing up the water, which flooded a portion of the village of Eddyville and the pretty hamilet of New Salem on the opposite side of the creek. Stables were inundated, and horses and cattle stood all night in fully three feet of water.

People sought refuge in the upper floors of their houses, and some even rushed to the mountains for safety.

Along the high road leading from Eddyville to this city the water

this city the water was two feet neep, and huge trees were broken as tons of ice crushed against them.

At New Salem ice crashed up against the stone house occupied by Charles Hicks and family, and the water poured in with such force as to compel the inmates to flee for their lives. At midnight it was feared that all the bullulings at Edwyllie would be swept away. Fortunately the ice and water coursed down the stream. This did not lead to the guard lock or it might have given away and the result been appalling. Thousands of neople visited the scene to-day. All danger has not yet passed, and it is impossible to at present approximate the loss, which will reach several hundred thousand dollars. The cement companies are heavy losers.

MAN AND WIFE FOUND DEAD.

SUPPOSITION THAT THE HUSBAND SHOT THE WOMAN IN A FIT OF JEALOUSY.

PHILADELPHIA, Jan. 13, 1891 .- On Friday last a man and woman, both about thirty-six years of age, who claimed to be husband and wife, rented s room from a Mrs. McLaughlin at No. 3,532 Warren street. West Philadelphia. Yesterday morning they were both found dead in bed, the woman shot

were both found dead in bed, the woman shot through the head and the man through the breast. It is thought the man killed the woman and then shot himself.

It has been learned that the couple's name was Anton and Anna Bruchner, and that they were man and wife. Bruchner was formerly a saloon keeper in this city, but lost his license. He was a gament cutter and when a Heense was rofused him he returned to it. Bruchner is thought to have been jealous of his wife, who was a comely woman, and on last Sunday the pair had a violent quarrel. Afterward they seemed to patch up their differences and to be upon good terms again. It is supposed that their quarrel must have been renewed some time last night and the husband shot his wife were discovered this morning a revolver with two chambers empty was found by the man's side. In Bruchner's couthing \$200 in money was found and in the woman's stocking there was \$34. Two policies of insurance for \$200 cach, covering the lives of Bruchner and wife, were also found.

PROTECTION OR PATRIOTISM.

[From the European Edition of the Herald.] Hereafter no French soldier is to be permitted to enter a brasserie in Paris kept by a German. Whether HORSES AND THE PEOPLE HAVE NO GUNS.

[BY TELEGRAPH TO THE HERALD.]

HELMA, Mont., Jan. 13, 1891.—Reports from Chinook, in Chateau county, Northern Montana, on the line of the Great Northern, say that four families came in to-day from Snake Creek, and reported that a band of about two hundred and fifty Sioux Indians was raiding the country, killing cattle, stealing horses and committing other depredations.

Chinook is illy prepared for defence against an indian attack. Six rifles and a few revolvers and shotguns constitute her means of defence. At a meeting of citizens it was decided to make requisition on the Governor for five hundred stands of arms, with ammunition.

TO REWARD INDIAN POLICE.

GENERAL RUGER RECOMMENDS THAT THEIR SERVICES BE BECOGNIZED,

WASHINOTON, Jan. 13, 1891.—Secretary Proctor has received a letter from General Ruger dated St. Paul, January 1, in regard to the conduct of the this is designed to discourage beer drinking among